

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (DAYTON)

NCR CORPORATION,	:	CASE NO. C-3-04-0097
Plaintiff,	:	(Judge Thomas M. Rose)
v.	:	
FUSIONONE, INCORPORATED,	:	<b><u>PLAINTIFF'S NOTICE OF</u></b>
Defendant.	:	<b><u>DISMISSAL WITH PREJUDICE</u></b>

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Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff NCR Corporation dismisses the  
above-captioned action with prejudice.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on September 1, 2004, I electronically filed the foregoing Plaintiff's Notice of Dismissal With Prejudice with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James M. Hill  
James M. Hill Co., L.P.A.  
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and I certify that I have mailed the document via U.S. Mail, postage prepaid, to the following non CM/ECF participants:

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